



03- 8 -1459

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CABBAGETOWN INITIATIVE COMMUNITY DEVELOPMENT CORPORATION, INC., AND FOR OTHER PURPOSES.

WHEREAS, The Cabbagetown Initiative Community Development Corporation, Inc. ("Cabbagetown Initiative") is a non-profit corporation whose mission is to enhance the quality of life in the Cabbagetown community by empowering neighbors to act collectively for community development; and

WHEREAS, the initial mission of the Cabbagetown Initiative is to create a park with a community center in the Cabbagetown neighborhood; and

WHEREAS, though the City desires to assist the Cabbagetown Initiative with its mission of creating a park, it does not currently have the resources to develop and maintain a park to the extent desired by the Cabbagetown Initiative; and

WHEREAS, if the City is able to provide parkland in the Cabbagetown area, the Cabbagetown Initiative is willing and able to develop and enhance the Park and assist with its maintenance; and

WHEREAS, in 2002, the City of Atlanta ("City") acquired the following two adjoining parcels of property located in Cabbagetown and designated that the parcels would be utilized as parkland, so that the City could create a park in the Cabbagetown area ("the Park"): 1) 701 Kirkwood Avenue, Atlanta, Georgia 30316, commonly known as the Grant School Property; and 2) 177 Estoria Street, Atlanta, Georgia 30316, commonly known as Sheltering Arms; and

WHEREAS, though a community center shall be located on that portion of the Park located at 177 Estoria Street, the term "Park" as used in this Resolution shall not include the community center and all issues between the City and the Cabbagetown Initiative regarding the Community Center shall be addressed under separate legislation and in a legal document separate from the one discussed herein; and

WHEREAS, the Cabbagetown Initiative's plans for development and enhancement of the Park include demolition of the Grant School building currently located on the Park; design, installation and maintenance of capital improvements to the Park; design, installation, and maintenance of environmentally friendly landscape improvements; maintenance of the Park so that it is consistently in a safe and attractive condition; and organization of educational and recreational programs to be provided at the Park; and

*HEREAS, the City wishes to create a cooperative relationship with the Cabbagetown initiative as the Cabbagetown Initiative is providing a valuable service to the City and both parties share the common goal of developing, managing, and enhancing the Park;

WHEREAS, it is in the best interest of the City to enter a Memorandum of Understanding ("MOU") with the Cabbagetown Initiative to define the cooperative relationship between the two parties, and to establish the role and obligations of each party in that relationship;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1.

The Mayor is hereby authorized, on behalf of the City, to enter into an MOU with the Cabbagetown Initiative regarding the roles and obligations of each of the two parties in the development, maintenance, and enhancement of the Park, and said MOU shall at a minimum provide the following:

- a) The MOU shall make clear that the City owns the Park and shall have authority to make all final decisions regarding the Park, but shall exercise its authority in the spirit of good faith cooperation with the Cabbagetown Initiative.
- b) The MOU shall require the Cabbagetown Initiative to prepare a Master Plan for the Park that shall include, but not be limited to, Park specifications, a blueprint for capital improvements, landscape details, objectives for programming within the Park, and a blueprint for Park management decisions. The Cabbagetown Initiative shall comply with the City's review and approval process for park Master Plans, including but not limited to approval by the Atlanta City Council and Mayor.
- c) The MOU shall provide the Cabbagetown Initiative with the authority and the responsibility to develop, maintain, and manage the Park consistent with the City-approved Master Plan and the MOU.
- d) The MOU shall provide the Cabbagetown Initiative with the authority and primary responsibility for raising additional funds for the Park, and for overseeing the use of the funds it raises, making certain that the funds are utilized consistent with the City-approved Master Plan and the MOU.



To the extent that the Cabbagetown Initiative is donating time and money to the City, the City hereby accepts the donation.

Section 3.

The City Attorney be and is hereby directed to prepare the MOU for execution by the Mayor, and the MOU shall be approved as to form by the City Attorney.

A true copy, Phone Daughin Johnson Municipal Clerk, CMC

ADOPTED by the Council APPROVED by the Mayor

SEP 15, 2003 SEP 23, 2003

Atlanta City Council

Regular Session

CONSENT I PGS 1-13, EXCEPT:03-R-1449 03-R-1460, 03-R-1463 ADOPT

> YEAS: 10 NAYS: 0 ABSTENTIONS: 0 NOT VOTING: 4 EXCUSED: 0 ABSENT 2

NVSmithYArchibongYMooreYMitchellYStarnesYFauverBMartinYNorwoodNVYoungNVShookBMaddoxYWillisYWinslowYMullerYBoazmanNVWoolard

	9-15-03 Council Meeting
ITEMS ADOPTED ON	ITEMS ADVERSED
CONSENT	ON CONSENT
1. 03-O-1347	35. 03-R-1399
2. 03-O-1451	36. 03-R-1400
3. 03-O-1311	37. 03-R-1401
4. 03-O-1443	38. 03-R-1402
5. 03-O-1319	39. 03-R-1403
6. 03-O-1317	40. 03-R-1404
7. 03-O-1441	41. 03-R-1405
8. 03-O-1447	42. 03-R-1406
9. 03-O-1109	43. 03-R-1407
10. 03-O-1329	44. 03-R-1408
11. 03-O-1330	45. 03-R-1409
12. 03-R-1371	46. 03-R-1410
13. 03-R-1372	47. 03-R-1411
14. 03-R-1373	48. 03-R-1412
15. 03-R-1374	49. 03-R-1413
16. 03-R-1437	50. 03-R-1414
17. 03-R-1458	51. 03-R-1415
18. 03-R-1459	52. 03-R-1416
19. 03-R-1383	53. 03-R-1417
20. 03-R-1446	54. 03-R-1418
21. 03-R-1456	55. 03-R-1419
22. 03-R-1316	56. 03-R-1420
23. 03-R-1337	57. 03-R-1421
24. 03-R-1381	58. 03-R-1422
25. 03-R-1382	59. 03-R-1423
26. 03-R-1449	60. 03-R-1424
27. 03-R-1390	61. 03-R-1425
28. 03-R-1392	62. 03-R-1426
29. 03-R-1393	63. 03-R-1427
30. 03-R-1394	64. 03-R-1428
31. 03-R-1395	65. 03-R-1429
32. 03-R-1396	66. 03-R-1430
33. 03-R-1397	67. 03-R-1431
34. 03-R-1398	68. 03-R-1432
Consent I Vote: 10 Yeas: 0Navs: (See RC	S #5027) · OVence (Novee (See DOS #5000)

Consent I Vote: 10 Yeas; 0Nays: (See RCS #5027); 9Yeas; 0Nays: (See RCS #5008) Items Removed from the Consent Agenda: 03-R-1460; 03-R-1463; Mitchell abstained on 03-R-1449;

⊠Consent □V Vote ☑RC Vote FINAL COUNCIL ACTION atter 15. Total ATLANTA CITY COUNCIL PRESIDENT **MAYOR'S ACTION** UI SEP 1 5 2003 A MUNICIPAL CLERK SEP 1 5 2003 SEP 20 AND CERTIFIED Actions Fav, Adv, Held (see rev. side) Fav, Adv, Hald (see rev. side) Members Committee O Phen Refer To Members Refer To Actions P 100 First Reading Fav. Adv. Hold (see rov. side) Pay, Adv. Hold (see rev. side) Chair Referred to Committee Date Rofer To j į ENTER INTO A MEMORANDUM OF UNDERSTANDING COMMUNITY DEVELOPMENT CORPORATION, INC., A RESOLUTION AUTHORIZING THE MAYOR TO ADOPTED BY **SEP 1 5** 2003 SOUNCIL. **03-** € -1459 WITH THE CABBAGETOWN INITIATIVE Do Het Write Above This Line) | REGULAR REPORT REFER | ADVIRTISE & REFER | 1 st ADOPT 2nd READ & REFER Dersonal Paper Raper AND FOR OTHER PURPOSES Date Referred Date Referred Date Referred Referred Tot Referred To: Referred Tex